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FACSIMILE COVER SHEET

Date: August 04, 2003	Client & Matter Number : 015270-006720US	No. Pages (including this one): 13
To: Examiner Kate Dora Games PTO	At Fax Number: 703 872 9306	Confirmation Phone Number:
From : Joe Liebeschuetz		(5218)

Message:

Serial No.: 09/149,718

Attached is a copy of the Petition to Withdraw the Holding of Abandonment and related documents

Original will:	BE SENT BY MAIL	BE SENT BY FEDEX/OVERNIGHT COURIER	BE SENT BY MESSENGER	X	NOT BE SENT
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Important

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PATENT APPLICATION
FILING ACKNOWLEDGMENT

Mailing Date: May 22, 2003
File No.: 015270-006720US Atty/Secty: Liebeschuetz/Hurley
Inventor(s): Games et al.
Title: TRANSGENIC ANIMALS HARBORING APP ALLELE HAVING SWEDISH
MUTATION

Transmittal form (1 p.);
Petition to Withdraw the Holding of Abandonment due to Nonreceipt of Office Action and duplicate
(4 pp.)
Declaration of Joe Liebeschuetz (2 pp.);
Declaration of Michele Simone (2 pp.);
Copy of TTC Prosecution Docket Report 01/01/03-01/31/03 (4 pp.); and
Return Postcard

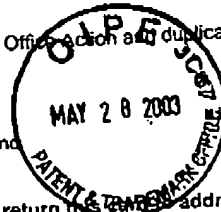
Please stamp the date of receipt of the enclosed documents and return this card to addressee.
PA 3306956 v1

PATENT APPLICATION
FILING ACKNOWLEDGMENT

Mailing Date: May 22, 2003
File No.: 015270-006720US Atty/Secty: Liebeschuetz/Hurley
Inventor(s): Games et al.
Title: TRANSGENIC ANIMALS HARBORING APP ALLELE HAVING SWEDISH
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Return Postcard

Please stamp the date of receipt of the enclosed documents and return this card to addressee.
PA 3306956 v1



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/149,718
	Filing Date	September 8, 1998
	First Named Inventor	Kate Dora Games
	Art Unit	1632
	Examiner Name	D. Crouch
Total Number of Pages in This Submission	Attorney Docket Number	015270-006720US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Return Postcard Petition to Withdraw the Holding of Abandonment due to Nonreceipt of Office Action Declaration of Joe Liebeschuetz Declaration of Michele Simone Copy of TTC Prosecution Docket Report 01/01/03-01/31/03
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Joe Liebeschuetz Reg. No. 37,505
Signature	<i>J. Liebeschuetz</i>
Date	May 22, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Paula Faulk Hurley		
Signature	<i>Paula Faulk Hurley</i>	Date	May 22, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. PA 3306952 v1

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Alexandria, VA 22313-1450

On May 22, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Paul F. Faulstich

PATENT
Attorney Docket No.: 015270-006720US
Client Ref. No.: 00154-US-CIP2

#29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Games et al.

Application No.: 09/149,718

Filed: September 8, 1998

For: TRANSGENIC ANIMALS
HARBORING APP ALLELE HAVING
SWEDISH MUTATION

Examiner: D. Crouch

Art Unit: 1632

PETITION TO WITHDRAW THE
HOLDING OF ABANDONMENT DUE TO
NONRECEIPT OF OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition to withdraw the holding of abandonment of USSN 09/149,718 on the grounds of nonreceipt by applicants of a Notice of Allowance allegedly mailed October 18, 2002. This petition is in accordance with the Notice at 1156 O.G. 53 (November 16, 1993).

Attached are declarations of the undersigned and Michelle Simone supporting the petition. The declarations establish that:

Games et al.
Application No.: 09/149,718
Page 2

PATENT

(a) the Notice of Allowance in question was not received by the undersigned prior to a notice of abandonment dated April 16, 2003; and

(b) a search of the prosecution file and docket records relating to the application indicates that the Notice of Allowance in question was not received prior to the date of the notice of abandonment; and

(c) a copy of the docket record where the Notice of Allowance in question would have been entered had it been properly received in due course is attached to the Simone declaration.

In accordance with the Notice, Applicants respectfully request that the abandonment of the present application be withdrawn because the subject Notice of Allowance was never received by Applicants' attorneys. Applicants further request that they now be sent a copy of the Notice of Allowance, and the period for response be restarted.

Please charge the petition fee pursuant to 37 C.F.R. §1.17(h) of 130.00 to our Deposit Account No. 20-1430. Please also deduct any additional fees associated with this paper from, or credit any overpayment to, our Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,



Joe Liebeschuetz
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
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JOL:pfh
PA 3308908 v1

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P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Attorney Docket No.: 015270-006720US
Client Ref. No.: 00154-US-CIP2

On May 22, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Paul Townsend

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Games et al.

Application No.: 09/149,718

Filed: September 8, 1998

For: TRANSGENIC ANIMALS
HARBORING APP ALLELE HAVING
SWEDISH MUTATION

Examiner: D. Crouch

Art Unit: 1632

DECLARATION OF
JOE LIEBESCHUETZ

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Joe Liebeschuetz, state as follows:

1. I am a partner with the law firm of Townsend and Townsend and Crew, San Francisco, California (TTC) and am registered to practice before the U.S. Patent and Trademark Office.
2. I am responsible for the prosecution of the above-captioned application.

Games et al.
Application No.: 09/149,718
Page 2

PATENT

3. On April 16, 2003 the PTO mailed a Notice of Abandonment. According to this Notice, the present application was abandoned in view of Applicants' failure to respond to the Notice of Allowance, mailed October 18, 2002.

4. To the best of my knowledge, I have never received the subject Notice of Allowance. I have searched the corresponding application file (TTC File No. 015270-006720US) and found no indication that the subject Notice of Allowance has been received.

5. I instructed the TTC docket department to conduct a search of our docket record (as described in the accompanying declaration of Michele Simone). Such a search has revealed no record indicating the subject Notice of Allowance was ever received by TTC. Accordingly, the searches of both the application file and docket records indicate the subject Notice of Allowance has not been received by TTC.

Respectfully submitted,



Joe Liebeschuetz
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
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JOL:pfh
PA 3306935 v1

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Attorney Docket No.: 015270-006720US
Client Ref. No.: 00154-US-CIP2

On May 22, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Paula Anne Henry

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Games et al.

Application No.: 09/149,718

Filed: September 8, 1998

For: TRANSGENIC ANIMALS
HARBORING APP ALLELE HAVING
SWEDISH MUTATION

Examiner: D. Crouch

Art Unit: 1632

DECLARATION OF
MICHELE SIMONE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Michele Simone, declare as follows:

1. I am a docketing clerk with the docket department (U.S.) at Townsend and Townsend and Crew LLP, San Francisco, California (TTC). I have been a docketing clerk at TTC since 1990.

Games et al.
Application No.: 09/149,718
Page 2

PATENT

2. I am responsible for handling incoming mail, including office actions, from the U.S. Patent and Trademark Office (PTO). Under standard TTC operating procedure, office actions received from the PTO are entered in TTC's "Patent and Trademark Docket" by their due date. Accordingly, if a Notice of Allowance (three month due date) was mailed October 18, 2002 and had been received by TTC, it would have been entered with a due date of January 18, 2003. Attached is an excerpt of the relevant part of the Docket identifying entries having a due date of 01/01/03 to 01/31/03. The docket entry for the missing office action would have been listed on p. 2 between client file numbers 013952-008020US and 18428X-035810US. No such entry is listed.

3. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Michele Simone

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
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JOL:pfh
PA 3306941 v1

Prosecution Docket Report

For: Joe Liebeschuetz

Country: For US Matters

Start Date: 1/1/2003

End Date: 1/31/2003

Date Type: Both Due and Reminder Dates

Date Client/Matter (Pat/TM)	Action/Events Notes	Title/Mark Client	(Redacted) App - Reg No Filing - Issue Date	Country Status	Bill - Resp Party Other Artys
Due Date: 01/02/2003 019269-000110US (Pat)	Publication Non-Priority Foreign Filing	(Redacted)	(Redacted)	US Pending	JOL - SLA SLA
Due Date: 01/02/2003 152701-004726US (Pat)	Restrictions (2 Mo Ext)	(Redacted)	(Redacted)	US Pending	JOL - RIC RIC
Due Date: 01/04/2003 018097-000532US (Pat)	Response to Office Action (1st Extension)	(Redacted)	(Redacted)	US Inactive - Abandoned	JOL - JOL
Due Date: 01/04/2003 018547-030530US (Pat)	Response to Office Action	(Redacted)	(Redacted)	US Pending	WMS - JOL JOL
Due Date: 01/04/2003 018547-046200US (Pat)	Annuity: Next	(Redacted)	(Redacted)	US Granted	WMS - M3C JOL
Due Date: 01/06/2003 020618-000600US (Pat)	Response to Final Office Action (1st Extension)	(Redacted)	(Redacted)	US Pending	JOL - SLA SLA
Due Date: 01/07/2003 2307AA-030350US (Pat)	Response to Notice of Missing Parts (Final Deadline)	(Redacted)	(Redacted)	US Inactive - Abandoned	JOL - JOL
Due Date: 01/09/2003 018547-030130US (Pat)	Check PAIR for 1st OA	(Redacted)	(Redacted)	US Pending - Published	WMS - JOL

Date Client/Matter (Pat/TM)	Action/Events Notes	Title/Mark Client	App - Reg No Filing - Issue Date	Country Status	Bill - Resp Party Other Attys
Due Date: 01/10/2003 015270-006440US (Pat)	Response to Office Action	[REDACTED]	[REDACTED]	US Pending	JOL - RIC RIC
Due Date: 01/11/2003 16528A-000410US (Pat)	Annulity: Next	[REDACTED]	[REDACTED]	US Granted	WMS - M3C JOL
Due Date: 01/12/2003 018547-015730US (Pat)	Response to Notice of Missing Parts (2nd Extension)	[REDACTED]	[REDACTED]	US Pending	WMS - JOL JOL
Due Date: 01/12/2003 018547-015730US (Pat)	Response to Notice to Comply with Sequence Requirements (2nd Extension)	[REDACTED]	[REDACTED]	US Pending	WMS - DMW JOL
Due Date: 01/12/2003 020618-000100US (Pat)	Response to Office Action (2nd Extension)	[REDACTED]	[REDACTED]	US Inactive - Abandoned	JOL - SLA SLA
Due Date: 01/14/2003 018547-021210US (Pat)	1-mo. to publication	[REDACTED]	[REDACTED]	US Pending	WMS - SLA JOL SLA
Due Date: 01/14/2003 020654-000200US (Pat)	Response to Office Action (2nd Extension)	[REDACTED]	[REDACTED]	US Pending	JOL - JOL
Due Date: 01/17/2003 019553-000310US (Pat)	3 MO EXT/ABAND-USP-NOTICE APL	[REDACTED]	[REDACTED]	US Inactive - Abandoned	WMS - SLA JOL SLA
Due Date: 01/18/2003 013952-008020US (Pat)	Status Check (Filing Receipt Received?)	[REDACTED]	[REDACTED]	US Inactive - Abandoned	SWP - JOL
Due Date: 01/18/2003 18428X-035810US (Pat)	Resp-1 mo. Restriction Requirement	[REDACTED]	[REDACTED]	US Inactive - Transferred	JOL - JOL
Due Date: 01/19/2003 015270-008500US (Pat)	File Non-Provisional Application - 6 Month	[REDACTED]	[REDACTED]	US Pending	JOL - JOL

Date Client/Matter (Pat/TM)	Action/Events Notes	Title/Mark Client	App - Reg No Filing - Issue Date	Country Status	Bill - Resp Party Other Attys
Due Date: 01/19/2003 015270-008500US (Pat)	6 MO FORGN	[REDACTED]	[REDACTED]	US Pending	JOL - JOL
Due Date: 01/19/2003 016351-000216US (Pat)	Response to Notice of Missing Parts (Final Deadline)	[REDACTED]	[REDACTED]	US Inactive - Abandoned	WMS - JOL JOL
Due Date: 01/22/2003 018852-000510US (Pat)	Notice of Appeal	[REDACTED]	[REDACTED]	US Pending	JOL - JOL
Due Date: 01/22/2003 018852-000520US (Pat)	Response to Office Action	[REDACTED]	[REDACTED]	US Pending	JOL - JOL
Due Date: 01/22/2003 019496-006230US (Pat)	Notice of Appeal	[REDACTED]	[REDACTED]	US Pending	JOL - JOL
Due Date: 01/22/2003 152701-004750US (Pat)	Response to Office Action (1st Extension)	[REDACTED]	[REDACTED]	US Pending	JOL - RIC RIC
Due Date: 01/22/2003 16994G-013720US (Pat)	Response to Office Action	[REDACTED]	[REDACTED]	US Pending	JOL - SLA SLA
Due Date: 01/23/2003 019553-003810US (Pat)	1-mo. to publication	[REDACTED]	[REDACTED]	US Pending	WMS - LMT JOL LMT
Due Date: 01/23/2003 020618-000700US (Pat)	Response to Office Action (2nd Extension)	[REDACTED]	[REDACTED]	US Pending	JOL - SLA SLA
Due Date: 01/23/2003 152701-004762US (Pat)	Restrictions (3 Mo Ext)	[REDACTED]	[REDACTED]	US Pending	JOL - RIC RIC
Due Date: 01/23/2003 16994G-010311US (Pat)	Notice of Appeal (Final)	[REDACTED]	[REDACTED]	US Pending	JOL -
Due Date: 01/24/2003 019282-001600US (Pat)	Foreign Filing Deadline	[REDACTED]	[REDACTED]	US Inactive	JOL - JOL

Date Client/Matter (Pat/TM)	Action/Events Notes	Title/Mark Client	App - Reg No Filing - Issue Date	Country Status	Bill - Resp Party Other Attys
Due Date: 01/25/2003 015270-008900US (Pat)	IDS (Inf. Discl. Stmt.) deadline	[REDACTED]	[REDACTED]	US Pending	JOL - RIC RIC
Due Date: 01/25/2003 15270J-006210US (Pat)	Response to Final Office Action due (1st Deadline or Ext)	[REDACTED]	[REDACTED]	US Pending	JOL - RIC RIC
Due Date: 01/26/2003 2307AA-110810US (Pat)	5 MO EXT/ABAND-USP-APPEAL BRF case suspended 7/15/02	[REDACTED]	[REDACTED]	US Pending	JOL - NSC NSC
Due Date: 01/28/2003 013952-008020US (Pat)	Response to Notice of Missing Parts (3rd Extension)	[REDACTED]	[REDACTED]	US Inactive - Abandoned	SWP - JOL JOL
Due Date: 01/29/2003 018547-017111US (Pat)	Drawings Due	[REDACTED]	[REDACTED]	US Pending	WMS - JOL JOL
Due Date: 01/30/2003 018547-004120US (Pat)	2nd Notice of Appeal (1st Ext.)	[REDACTED]	[REDACTED]	US Pending	WMS - JOL JOL
Due Date: 01/30/2003 16994G-012710US (Pat)	Response to Final Office Action	[REDACTED]	[REDACTED]	US Pending - Published	JOL - JOL
Due Date: 01/30/2003 16994G-012710US (Pat)	Notice of Appeal	[REDACTED]	[REDACTED]	US Pending - Published	JOL - JOL